Devt (1957) Dept

[redacted]

Memo

No 7283 C II/57-1

Dated 22-1-57

Passed
KM/
Supdt. (Forests)

Forests - Govt. Forests - (South Kanara) - prevention of illicit cutting - suggestions

4887 PMN 2/50 -- 6886

To,

Hon'ble Jawahirlal Nehru,
Prime Minister, New Delhi.

From: Sri K.K.P.Rama Pothuval, Congress Worker,
Karkala, South Kanara District.

ASSISTANT SECRETARY TO GOVERNMENT
28 DEC 1950
REVENUE DEPARTMENT

Theft of Wood from Revenue lands.

In the 'Rashtrabandhu' dated 8-10-1950, the R.D.O. of Puttoor has appealed to the Villagers to preserve trees and to see that they are not cut by stealth from Government lands, and has brought to their notice that the Madras Government has promised to give rewards to those who will bring to its knowledge the cutting of such trees without a permit. In South Kanara District, not only in Puttoor and Kasargode but also in Karkala, Udipi and Coondapoor taluks about 50 per cent of good variety from Government lands have been cut and sold by stealth. Small trees that are growing are being used in large quantities for preparation of charcoal and firewood.

2) Reports regarding unlawful cutting of trees from Government lands are mostly not available. Those that are available are mostly under inquiry now. But according to the present methods and practices, the complaints are hard nuts to crack for the forest officers. For, to prove those complaints those who cut the wood, those who transport it and those who ~~bought~~ buy it are to be presented as eye witnesses. Otherwise, the guilt cannot be proved in the Court of law. How funny that witnesses are necessary to prove that. Such being the case, the concerned officials beg some one or other to be the witnesses promising to hold the offender responsible for cutting only about 10 per cent of the wood. So, those who cut trees illegally make about 90 per cent profit and get encouragement rather than due punishment.

2-2

3) Those who cut and sell trees are influential men of the concerned villages and they take the help of a few rowdies to do their work without any hindrance. Due to the fear of losing their favour and inviting trouble from them, villagers dare not bring the unlawful cutting of trees to the notice of the Government. The people's indifference in this matter is also due to the Government's lenient action against the offenders. Sometimes, those who point out the stealthful cutting of trees for the sake of truth are landed in trouble, lose all help in the village and are forced to leave their native places. Knowing the lack of proper Government control, antisocial people are cutting trees and selling them from the revenue forests without the least fear. If this continues as is going on as at present, no wonder, the Government forest wealth will be depleted with-in a couple of years.

4) The village officials know every thing about the whole village. Among them, the Kiznam or Shanbhogue visits round all the places of the village twice or thrice every year in connection with survey stones etc. Yet, recently, thousands of good and costly variety trees have been cut down whose stumps are there, quite visible to prove this and it is understood that the Government is unaware of it. What is the reason for this ? Firstly, if these matters are reported, the Government officers do not give sufficient support, secondly, the rowdies cause trouble to those who have reported, thirdly, the majority of the villagers become their opponents. Such being the state, some village officials by themselves or through their relatives have taken to this profitable trade themselves.

5) For finding out the large number of trees that have been cut and sold unlawfully and for preventing - these malpractices the Government has to station - enthusiastic and capable C.I.D. personnel in the firkas of the forest regions (Malanad). The stumps of cut trees are to be examined and measured by them. The Government should announce good protection and reward for those who will show the stumps of trees cut unlawfully. If evidence of the stealth of Government trees is not forthcoming imposition of collective fine on the neighbouring land holders will secure such evidence. From such enquiry it will be found out how far the village officials have overlooked or allowed the malpractices. By taking proper action against such officials Government wood worth crores of rupees will be saved. Trees from revenue lands should not be allowed to be cut without a permit from a responsible officials. If possible the Government may stop or decrease cutting of trees and forests for some time till the offences committed so far are detected and brought to light. At present wood is sold at a rate higher than the Government rate by seven times. Besides the market rate of katimay fire-wood is 20 times of the Government rate. To bring all this in order necessary laws have to be enacted and enforced.

6) In the "Grow more food trees" campaign of our country, the antithetical policy seems to be 'In one hand a plant, in another the axe' in the forest regions of our district. These anti-national acts the Government has to put down speedily without favour or fear. Then only the law breakers can be made to realise that the Government exists and the forest wealth will be preserved

4 4

and developed.

Karkala,
Dated 16-12-1950.

Revenue Department

Trees -(S. Kanara) - Karkala, Udipi, Coondapur Taluks.
- Theft of wood from revenue lands - General
suggestion to safeguard and preserve trees.

Ref From Sri K. P. Rama Pottuvel, Karkala
Petition dt. 16.12.50.

Endorsement No.

To

Hon'ble Jawaharlal Nehru,
Prime Minister, New Delhi.

From: Sri K.K.P. Rama Pothuval, Congress Worker,
Karkala, South Kanara District.

Typed in the office by mistake.

1. Trees and forest growth together constitute the sheetanchor in the structure of Indian Economy. When, under the leadership of the Lokamanya Tilak, the non-co-operation movement was started in our country, the then Secretary of State for India was asked in the British Parliament as to how did Britain propose to carry on the day-to-day administration of the Indian Empire in the face of the no-tax campaign Which was advocated by the participants of the non-co-operation movement, the Secretary replied that a mere ~~sale of tree growth of the Indian forests would provide with a revenue which would be quite sufficient for~~ carrying on the administration for over 30 years, even if the people did not co-operate. Doubtless, it is the supreme duty of the Government and the authorities concerned to preserve and protect the Indian forest wealth. The tree planting campaign started recently, is one of the measures calculated to improve the forest wealth of our nation.

2. However, our forests are born of natural phenomenon. They are not the result of human effort. They have been created by the Almighty through the agency of Nature and they grow of their own accord if only they are protected against wild fire and bad elements found in our own society.

3. Bogi is the most popular variety of timber in South Kanara District. It is extensively grown here, and it is the most suitable material for the construction of buildings. The Government land beyond 100 yards of the Kadim Warg property has been recognized by the Government as Kumki to that land. All trees growing beyond Kumki land belong to the Government and to the nation as a whole. As already stated above, bogi is the most popular variety of timber found in such Government forests. The present market price of that timber is about Rs. 3/- per cubic foot, but the seigniorage fixed by the Governmet is less than a rupee. Even at this rate, the value of these bogi trees growing in the Government land, will run into crores of rupees.

4. After the outbreak of the II World War, on account of great demand for timber, the price of bogi and other timber trees shot up five fold, with the result, almost all bogi and other timber trees standing on Warg lands have been already sold away. Not only that, a most mischievous tendency has crept in among some of the villagers, who think that it is a short-cut for the achievement of wealth to remove (of course, illegally) timber trees from Government forests and to deal with them, as if, it is their private property. This tendency is gaining ground day by day, in many villages where groups of people are engaged day in and day out, in this anti-social trade. It is high time that this tendency is checked immediately. Otherwise it will not only mean a great blow to our natural economy, but we will also be undoing one of the few things Which the British did for the good of India. People and the Government alike must realise that preventive measures are as much a part of Tree Plantation Programme. The Officers concerned must be armed, with greater and more effective powers to deal with miscreants before the latter can manage to escape. The havoc wrought by these anti-social elements is more pronounced in the taluq's of Karkal, Puttur and Coondapoor. The nature and the extent of the havoc caused, can be easily gauged by holding an enquiry into the condition of the Revenue Forests.

5. The Law governing, especially the Madras Forests Act, contains many loop-holes and the present situation requires the introduction of new provisions to prevent wide-spread infringement of the forest Law.

6. It is the duty of our administration to find out who is responsible for this illegal cutting of timber from revenue forests--a havoc that is being worked nowadays on a large scale. Such a thing should be stopped immediately. This is an urgent necessity, if at all India wants to preserve her forest wealth Otherwise, even the Tree Plantation Scheme will have no meaning at all.

K. Rajasheety
A. Villager.

Dated 7-11-'50
KARKAL, S. K.

KALLIANPUR PRESS LTD., UDIPI

Forest Deptt

Memo No. 7283 C(1) 57-1 dt 22.1.51

Sub: Forests South Kanara Division
Reserved Forests - Illicit cutting
of trees. Prevention.

Ref: (1) From Sri U.K.P. Rama Poduvane - Peta dt
Ch. 2.50

(2) From Sri K. Dzur Shetty - Peta dt 7.11.50

A copy each of the petitions
cited is communicated to the C.C.
for necessary action so far as they relate
~~regard relating to the Forest Deptt are~~
~~concerned~~ to reserved forests.

19.1.51

20.1.51

9. The C.C. Canara
a copy of this G.O.

Revenue Dept.

Forests – Government Forests – (South Kanara) – Prevention of illicit cutting – Suggestions.

(CRO 880824-M/50) From Sri K.K.P. Rama Pothuval, Karkala, South Kanara Dt., Petition to the Prime Minister of India dt 16.12.50

C F

To AS.

Please see the petitions in the CF. The petition on pp 5 CF is apparently an enclosure to the petition on pp. 1-4 CF.

p 123 of Manual. 2/ Section 32 in chapter V of the Village Officers and Ryots Manual lays down the duties of village officers in the matter of the preservation of Govt. forests and topes.

para 1, p 125 ib. According to these instructions, it is the duty of the village officers to look after all the Govt. trees standing within village limits and not included in reserved forests or reserved lands, whether they are in topes or along the sides of roads or in the jungle.

do. Whenever any loss occurs among such trees, whether by theft or otherwise, the fact should be immediately reported by the headman of the village to the Tahsildar, through the Revenue Inspector concerned, with a full explanation of the circumstances. The Tahsildar will take necessary action on the headman's report. The management of the reserved lands and reserved forest is done by the Forest Dept. or forest panchayats. But it is

para 3, p 125 ib. the duty of village officers to assist the officers of the Forest Dept. and forest panchayats as much as they can in executing their duties. The responsibility of village officers in the preservation of Govt. trees

p. 94 of Standing Orders (Revenue) was emphasised in G.O. No. 1078 Rev. of 24.4.48. According to that G.O., in cases where a village officer has failed to discharge his duties in regard to Govt. trees or where the prosecution launched for illicit cutting of such trees has failed as a result of neglect of duty on the part of the village officer, disciplinary action should be taken against him in the same way as for dereliction of his other duties. With a view to give some incentive to encourage village officers to take more interest in the preservation of Govt. trees,

para 2 of G.O. on p 94 of Standing Orders the Govt. also sanctioned the grant of a reward equal to 25% of the net sale proceeds or value of tree cut, subject ordinarily to a maximum of Rs. 50 in each

case, to a village officer who detects the illicit cutting or removal or damage to any Govt. tree and gives substantial help in the apprehension of the offender and/or in the recovery of the tree so cut or removed. In the G.O. referred to, the Govt. also sanctioned the grant of a reward also to any member of the public who gives information leading to the apprehension of an offender and/or the recovery of the tree illicitly cut or removed. The award sanctioned for a member of the public will be equal to 50% of the net proceeds or value of the tree, subject ordinarily to a maximum of Rs. 50 in each case. At B on p. 1 CF the petitioner presumably refers to these orders. para 5 of G.O. on p 94 of Stock Ck

2/ So far as Govt trees other than those in reserved forests and reserved lands, are concerned, the existing instructions referred to in para 2 above seem adequate. ~~But that the petitioner refers to seems to be Govt forests or lands not in charge of the Forest Dept. or scattered trees in charge of the Revenue Dept.~~ In para 4 of the petition on p. 2 CF. the petitioner has made certain allegations against village officers about their omission to report removal of trees, apparently from Govt forests, and about their collusion with others in the illicit trade of Govt trees. These allegations are in general terms and no action seems necessary on them. The several suggestions made by the petitioner appear to be in respect of protection of trees in Govt. forests under the management of the Forest Dept. Attention is invited to para 5 of the printed petition on p. 5 CF, in which the petitioner refers to loop holes in the Madras Forest Act. The petitioners are therefore to be related primarily to, to whom the file may be transferred.

14/1/51

10/1/51

14/1/51 Secy 7283 CM 51

Dept-Wise

Rev. note on pp 1-2 above may be perused. Sections 21 and 26 of the Madras Forest Act of 1882 provide among others, for the prevention of illicit cutting of trees in Reserved forests. Rules have also been framed for the grant of rewards to informers

Rev. w.o. 88304 M/51

Secy 11/1/51 G 11.1.51

Govt 14.1.51

UNDER ASSISTANT SECRETARY TO GOVERNMENT
18 JAN 1951
DEVELOPMENT DEPARTMENT

for detecting & preventing breaches of the forest laws. The watch and ward staff of the Forest Deptt are equally vigilant to take action against the delinquents.

2. The complaint in para 5 on p. 5 of that the Madras Forest Act contains many loop-holes is rather vague and indefinite. There is no indication in what ways the existing Act needs a tightening up. It may however be mentioned that the Madras Forest Act is being revised to provide for greater safeguards. No action seems therefore called for on the representation on p. 5 of the petitioner. A copy of this may however be communicated to the CE for information and suitable action. A draft memo is submitted for approval.

The proposed bill does not contain any provision to prevent such illicit cutting of trees in reserved forests.
20/1/57

Thro CT.
19/1/57

19.1.57
19.1.57

20/1/57

22/1

p 7 cf (Issued as Memo No 7283 CII/57-1 d/22.1.57)